IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 11634 of 2004
with
SPECIAL CIVIL APPLICATION No 1161 of 2005

For Approval and Signature:

HON'BLE MR.JUSTICE AKIL KURESHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

DEVSHI K HELAIYA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 11634 of 2004 with
Special Civil Application No. 1161 of 2005
MR NK MAJMUDAR for Petitioner No. 1-71
MR HASURKAR, AGP for Respondent No. 1-2
DS AFF.NOT FILED (N) for Respondent No. 3-4

CORAM : HON'BLE MR.JUSTICE AKIL KURESHI

Date of decision: 01/03/2005

COMMON ORAL JUDGEMENT

RULE. Mr.Hasurkar, learned AGP, waives service of notice of rule on behalf of the respondents.

In this petition, the petitioners, who are working as Medical Officers have prayed for being granted certain benefits resolved by the Government pursuant to the acceptance of the recommendations made by the Tiku Commission.

In response to the notice issued by this Court in Special Civil Application No.11634/2004, the Government has filed affidavit-in-reply. It is stated in the affidavit-in-reply that the case of the medical officers is under consideration of the Government and there has been some delay on account of time consuming process involved. It is further stated that the Government is expediting the efforts of finalization of granting benefits to the petitioners as per their entitlement.

In view of the above averments made in the affidavit-in-reply, it is clear that the Government is in process of finalization of entitlement of the petitioners for granting benefits as per the Tiku Commission recommendations. I, however, find the request made on behalf of the petitioners through their counsel, that process should be expedited, is reasonable. The issue is pending with the Government since long and, therefore, while disposing both these petitions, it is directed that the Government shall expedite the process of considering the entitlement of the petitioners to receive the benefits of higher pay scales in accordance with Government policy emanating from circulars issued from time to time. This exercise shall be completed as expeditiously as possible and preferably within a period of four months from the date of receipt of copy of this order. Pursuant to the conclusion of this exercise, the Government shall also take consequential steps to pay the actual benefits to the petitioners, who are found entitled to receive the same.

With these observations both these petitions are disposed of. Rule made absolute to the above extent. No order as to costs.

Direct service is permitted.

(Akil Kureshi, J.)
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